

Docket No. 000309-00051

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: William J. Carroll et al.

SERIAL NO: 10/717,925

GAU: Unassigned

FILED: November 21, 2003

EXAMINER: Unassigned

FOR: SURFACE STIMULATIO FOR TREMOR CONTROL



FILING OF DECLARATION UNDER 37 CFR 1.53(f)

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA. 22313-1450

ATTN: APPLICATION BRANCH

SIR:

Responsive to the notification dated February 18, 2004, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Declaration in accordance with 37 CFR 1.63.

☐ The required fee was paid at the time of filing the application.

☒ A check in the amount of \$1,626.00 is attached to cover the required application filing fee (\$770.00) extra total claims fee (\$686.00) surcharge fee (\$130.00) for the executed declaration and (\$40.00) assignment recordation.

☒ A copy of the notification is also submitted herewith.

The Declaration enclosed herewith adequately identifies the above-identified application in accordance with 37 CFR 1.63, as set forth in MPEP Section 601.01.

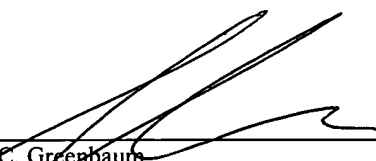
In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Please charge any underpayment of fees or credit any overpayment of fees to Deposit Account No. 23-2185. A duplicate copy of this paper is attached.

Respectfully Submitted,

BLANK ROME LLP

600 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON, DC 20037
TEL (202) 944-3000
FAX (202) 572-8398



Michael C. Greenbaum
Registration No. 28,419

Date: March 22, 2004



Attorney Docket Number: 000309-00051

DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SURFACE STIMULATION FOR TREMOR CONTROL

the specification of which

☐ is attached hereto

☒ was filed on **November 21, 2003** as United States Application Number or PCT International

Application Number **10/717,925** and (if applicable) was amended on

I hereby authorize our attorneys to insert the serial number assigned to this application.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 USC §119

| APPLICATION NO. | COUNTRY | DAY/MONTH/YEAR FILED | PRIORITY CLAIMED |
|-----------------|---------|----------------------|------------------|
| | | | |

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. §119(e)

| APPLICATION NUMBER | FILING DATE |
|--------------------|-------------------|
| 60/428,281 | November 22, 2002 |

I hereby claim the benefit under 35 U.S.C. §120 of any United States application, or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

PRIOR U.S./PCT INTERNATIONAL APPLICATION(S) DESIGNATED FOR BENEFIT UNDER 35 U.S.C. §120

| APPLICATION NO. | FILING DATE | STATUS — PATENTED, PENDING, ABANDONED |
|-----------------|-------------|---------------------------------------|
| | | |

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith: Victor M. Wigman, Reg. No. 25,201; Donald R. Greene, Reg. No. 22,470; Michael C. Greenbaum, Reg. No. 28,419; Charles R. Wolfe, Jr., Reg. No. 28,680; Michael D. White, Reg. No. 32,795; Brian C. Jones, Reg. No. 37,857; David J. Edmondson, Reg. No. 35,126; Denise C. Lane, Reg. No. 42,780; Peter Weissman, Reg. No. 40,220; Brian WM. Higgins, Reg. No. 48,443; John J. Yun, Reg. No. 53,823; and Thomas L. Willis, Jr., Reg. No. 53,778.

Correspondence Address:**BLANK ROME LLP**

The Watergate

600 New Hampshire Avenue, NW

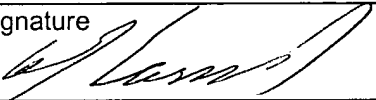
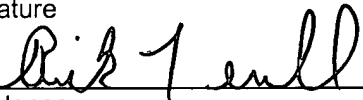
Washington, DC 20037

TEL (202) 944-3000 FAX (202) 572-8398

**27557**


PATENT TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | |
|--|------------------------------|
| Full Name of sole or first inventor (given name, family name) William J. Carroll | |
| Signature  | Date 12/16/03 |
| Residence 14000 N.E. 371st Street La Center, WA 98629 | Citizenship U.S.A. |
| Mailing Address P.O. Box 430, Sedro Woolley, WA 98284 Same as residence | |
| Full Name of additional joint inventor (given name, family name) Richard M. Terrell | |
| Signature  | Date 12/16/2003 |
| Residence 2314 S.E. Park Crest Avenue Vancouver, WA 98683 | Citizenship U.S.A. |
| Mailing Address Same as residence | |
| Full Name of additional joint inventor (given name, family name) | |
| Signature | Date |
| Residence | Citizenship |
| Mailing Address | |
| <input type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto. | |

PATENTS ONLY

To the Honorable Commissioner of Patents. Please record the attached original documents or copy thereof.

| | | | |
|--|--|---|--|
| 1. Name of conveying party(ies): William J. Carroll Richard M. Terrell | | 2. Name and address of receiving party(ies): Name: International Rehabilitative Sciences, Inc. Address: P.O. Box 872650 Vancouver, WA 98687-2650 | |
| Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | Additional name(s) and address(es) attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| 3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other | | | |
| Execution Date: December 16, 2003 | | | |
| 4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No.(s) 10/717,925 B. Patent No.(s) Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| 5. Name and address of party to whom correspondence concerning document should be mailed: BLANK ROME LLP THE WATERGATE 600 NEW HAMPSHIRE AVENUE, NW WASHINGTON, DC 20027  27557 PATENT TRADEMARK OFFICE | | 6. Total applications and patents involved: 1 7. Total fee (37 CFR 3.41): <input checked="" type="checkbox"/> Enclosed \$40.00 <input type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: 23-2185 (Attach duplicate copy of this page if paying by deposit account) | |

DO NOT USE THIS SPACE

9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael C. Greenbaum
Name of Person Signing


Signature

March 22, 2004
Date

Registration Number:

Total number of pages including this cover sheet: **5**

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents
Box Assignments
Arlington, VA 22313

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40.00 DP

A S S I G N M E N T

THIS ASSIGNMENT, made on the date set forth below by William J. Carroll, residing at 14000 N.E. 371st Street, La Center, WA 98629; and Richard M. Terrell, residing at 2314 S.E. Park Crest Avenue, Vancouver, WA 98683 (hereinafter referred to as the Assignors), witnesseth:

WHEREAS, said assignors have invented certain new and useful improvements in **SURFACE STIMULATION AND TREMOR CONTROL** set forth in an application for Letters Patent of the United States filed November 21, 2003, Serial No. 10/717,925.

WHEREAS, **International Rehabilitative Sciences, Inc.**, a corporation duly organized under and pursuant to the laws of the State of Washington, having its principal place of business at P. O. Box 872650, Vancouver, Washington 98687-2650 (hereinafter referred to as the Assignee) is desirous of acquiring the entire right, title and interest in and to said inventions and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the said Assignors have sold, assigned, transferred and set over, and by these presents do sell, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and

continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the said Assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the Assignors, had this sale and Assignment not been made.

AND for the same consideration, the said Assignors hereby covenant and agree to and with the said Assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, the said Assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and the application for Letters Patent above-mentioned, and that the same are unencumbered and that the said Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, the said Assignors hereby covenant and agree to and with the said Assignee, its successors, legal representatives and assigns, that the said Assignors will, whenever counsel of the said Assignee or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said inventions in any country, including interference proceedings, is lawful and desirable, that any division, continuation or continuation-in-part of any application for Letters Patent, or reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or

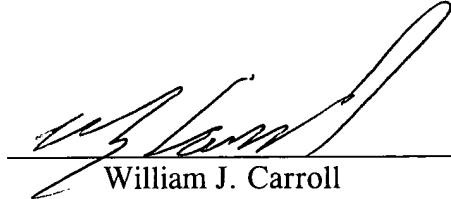
required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said inventions, without charge to the said Assignee, its successors, legal representatives and assigns, but at the cost and expense of the said Assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to the said Assignee, as the Assignee of said inventions and the Letters Patent to be issued thereon for the sole use and behoof of the said Assignee, its successors, legal representatives and assigns.

The undersigned hereby grant the firm of BLANK ROME LLP power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

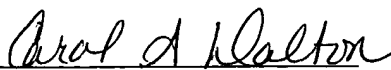
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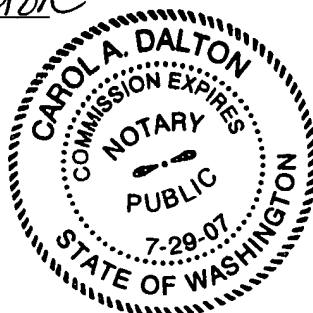
12/16/03


William J. Carroll

STATE OF WASHINGTON)
COUNTY OF)

On this 16 day of December 2003, personally before me came William J. Carroll, known to me, and known to me to be the person described in and who signed the above Assignment, and being duly sworn, acknowledged that he executed the same.


Notary Public



My Commission Expires:

7-29-07

Date:

12/16/2003

Richard M. Terrell
Richard M. Terrell

STATE OF WASHINGTON)

COUNTY OF)

On this 16 day of December 2003, personally before me came Richard M. Terrell, known to me, and known to me to be the person described in and who signed the above Assignment, and being duly sworn, acknowledged that he executed the same.

Carol A. Dalton
Notary Public

My Commission Expires:

7-29-07

